

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE LEONARD AND MADLYN  
ABRAMSON FAMILY CANCER  
RESEARCH INSTITUTE AT THE  
ABRAMSON CANCER CENTER  
OF THE UNIVERSITY OF  
PENNSYLVANIA,

Plaintiff,

v.

CRAIG THOMPSON, M.D., AGIOS  
PHARMACEUTICALS, INC., and  
CELGENE CORPORATION

Defendants.

11-cv-09108 (NRB)  
ECF Case

**NOTICE OF MOTION TO DISMISS**

**Oral Argument Requested**

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law, the Declaration of Allan J. Arffa, executed on March 16, 2011, and its accompanying exhibits, and all other papers and proceedings in this action, defendant Craig Thompson, M.D. will move this Court, before the Honorable Naomi Reice Buchwald, at a date and time to be determined by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(6), and 12(b)(7), dismissing the Third Amended Complaint in this action in its entirety as against Dr. Thompson. The basis for the motion is set forth in the accompanying memorandum of law.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Scheduling Order entered by the Court, papers in opposition to this motion are to be filed no later than April 13, 2012.

Dated: New York, New York  
March 16, 2011

Respectfully submitted,

PAUL, WEISS, RIFKIND, WHARTON &  
GARRISON LLP

By: /s/ Allan J. Arffa  
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